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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Customer No. : | 000027777 | Confirmation No. 7870 |
| Applicants : | Hibner et al. | |
| Serial No. : | 10/676,944 | Art Unit: 3736 |
| Filed : | Sept 30, 2003 | Examiner: Hoekstra, Jeffrey |

For Biopsy Instrument with Internal Specimen Collection Mechanism

I certify this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office on December 20, 2006.

/Gerry Gressel/
Gerry Gressel

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT DATED DECEMBER 4, 2006

Dear Sir:

Applicant elects Species A, drawn to Figures 1-17 as identified by the Examiner. It is respectfully urged that at least Claim 1 is readable thereon.

This election is made with traverse. The restriction requirement states that Applicant is required under 35 USC 121 to elect a single disclosed species. It is respectfully urged that 35 USC 121 merely states that the Director may require the application to be restricted. It is respectfully urged that in this application, where only two claims are presented, examination of both claims together will result in a more efficient and thorough search, and will ultimately conserve USPTO resources as compared to separate examination of the two claims in separate applications.

Respectfully submitted,

/Gerry Gressel/
Gerry Gressel, reg#34,342

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513 337 3535

Doc 25711v1